

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, June 26, 2013, at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Alex Wan, Vice Chair
 Councilmember Howard Shook
 Councilmember Yolanda Adrean
 Councilmember Natalyn Archibong
 Councilmember C. T. Martin
 Councilmember Aaron Watson
 Jim Beard, CFO
 Departmental Staff

Absent: Chairperson Felicia A. Moore, Chair

Vice Chairperson Wan called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Howard Shook, Yolanda Adrean, Natalyn M. Archibong and Aaron Watson. Other Departmental staff was present as well. Chairperson Moore stated that the Agenda is adopted with one new Resolution. The minutes of the Finance/Executive Committee of June 12, 2013 were **Approved, 5 Yeas**.

COMMUNICATIONS

13-C-5013 (1) A Communication submitting a continuous Audit Report regarding duplicate payments dashboard.

FAVORABLE

Ms. Leslie Ward: Internal City Auditor went over a one page report. Councilmember Adrean asked if we are still getting duplicate payments. Ms. Ward responded yes, it is a control issue.

Mr. John Gaffney: Controller stated that it is eight duplicate payments. The issue is the vendor file has duplicate set ups. This is going to be an ongoing process as we move forward. We have been changing the account payable process, which would reduce duplicate payments. Councilmember Adrean offered a motion to **Approve, 5 Yeas**.

Vice Chairperson Wan gave the opportunity to speak:

COMMENTS FROM THE PUBLIC

Mr. Jim Snyder: stated that he is on the Beltline Advisory Committee, but not been informed regarding legislation regarding the Beltline.

ORDINANCE FOR FIRST READING

13-O-1122 (2) An Ordinance by Finance/Executive Committee waiving the competitive source selection requirements contained in Section 2-1187 of the Code of Ordinances of the City of Atlanta, GA ("CODE") as well as any other conflicting code provisions and authorizing Quality Concessions, LLC to provide, and the City to accept, Airport Food & Beverage Concessions Services under the terms and conditions set forth in that certain Lease Agreement for Hamburger Concession on Concourse A (FC-7100-99), as amended, beginning July 31, 2013 and continuing on a month-to-month basis until December 31, 2014; and for other purposes.

FAVORABLE ON FIRST READ

13-O-1123 (3) An Ordinance by Finance/Executive Committee authorizing the purchase of permanent and temporary Construction Easements, necessary rights-of-way, and donated parcels from various property owners for the completion of the Georgia 400 Trail, Southwest Atlanta Beltline Trail, Silver Comet Connector Trail, Battle of Atlanta Trail and Westside Trail Projects and to authorize the Mayor, or his Designee, to negotiate with

affected property owners and to have the legal authority to use all means necessary to acquire necessary property interests, up to and including condemnation authorized by O.C.G.A. Section 32-3-4; to authorize the City Attorney to use the Services of Outside Counsel, where necessary, to handle condemnation proceedings; and for other purposes.

FAVORABLE ON FIRST READ

REGULAR

ORDINANCES FOR SECOND READING

- 13-O-1091 (4) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the 2013 Park Impact Fee Fund Budget by transferring remaining balances from and to the Accounts as listed in Exhibit a for the purpose of closing out amounts for various Projects; and for other purposes.

FAVORABLE

Mr. George Dusenbury: Commissioner of the Department Parks and Recreation. We have not spent all of the funds that were encumbered. This legislation unemcumber the funds and put them back into the Park Impact Fee Fund. Councilmember Martin offered a motion to **Approve, 5 Yeas.**

- 13-O-1092 (5) A **Substitute** Ordinance by Finance/Executive Committee authorizing the purchase of permanent and temporary construction easements, necessary right-of-way, and donated parcels from various property owners for the completion of the Georgia 400 Trail, Southwest Atlanta Beltline Trail, Silver Comet Connector Trail, Battle of Atlanta Trail, Westside Trail, Adams Drive Bridge and Courtland Street Bridge Projects and to authorize the Mayor, or his Designee, to negotiate with affected property owners and to have the legal authority to use all means necessary to acquire necessary property interests, up to and including condemnation proceedings, pursuant to the declaration of taking method authorized by O.C.G.A. Section 32-3-4; to authorize the City Attorney to use the Services of Outside Council, where necessary, to handle condemnation proceedings; and for other purposes. **(Finance/Executive Committee Substitute adds bridges to the legislation, 6/26/13)**

FAVORABLE ON SUBSTITUTE

Vice Chairperson Wan stated that we have a Substitute that adds bridges.

Mr. Richard Mendoza: Commissioner of the Department of Public Works stated that paper is for the temporary easement. This is standard for capital improvement projects. The Substitute bundles the projects. Councilmember Martin offered a motion to **Approve on Substitute, 5 Yeas.**

- 13-O-1093 (6) An Ordinance by Finance/Executive Committee authorizing the mayor, on behalf of the City, to enter into and execute a Lease Agreement with the Piedmont Park Conservancy for the Piedmont Park Promenade; and authorizing the waiver of City Code Section 2-1547 regarding the procedures for leasing City-Owned real Property for purposes of entering this Agreement, where said waiver is based upon the unique arrangement that the Piedmont Park Conservancy has with the City regarding Piedmont Park and the Conservancy's creation the Promenade at no cost to the City; and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 5 Yeas.**

- 13-O-1099 (7) An Ordinance by Councilmember Yolanda Adrean to authorize a contribution of \$1,500.00 from the District 8 Council Office Funds to the GA Conservancy to pay for staffing needs related to the Collier Village Blueprints Plan; and for other purposes.

FAVORABLE

Councilmember Adrean offered a motion to **Approve, 5 Yeas.**

- 13-O-1104 (8) An Ordinance by Councilmember H. Lamar Willis **as Substituted by Finance/Executive Committee (1), 6/26/13** to authorize the Chief Financial Officer to amend the Fiscal Year 2013 Budget by transferring appropriations from 3503 (Capital Fund) Department 240201 (APD Police Administration), Account 599999 (PNG – Budgets), Function Activity 3210000 (Police Administration) Project 211207 (APD Facility Improvements Project) Funding Source 22037 (Repurposed Bond Proceeds) to 3503 (Capital Fund), Department 240201 (APD Police Administration), Account 599999 (PNG – Budgets), Function Activity 3210000 (Police Administration), Project 211204 (APD Relocation/Renovation COPS (Code Comp), Funding Source 22037 (Repurposed Bond Proceeds) in the amount of \$288,000.00); and for other purposes. **(Finance/Executive Committee Substitute corrects FDOA, 6/26/13)**

FAVORABLE ON SUBSTITUTE

Vice Chairperson Wan stated that we have a Substitute that corrects the FDOA.

Mr. Glenn Cowart: of OEAM stated that these are accounts that were done under the Bond Funds. This is for Code Enforcement to move to Public Safety Building. Councilmember Martin offered a motion to **Approve on Substitute, 5 Yeas.**

- 13-O-1124 (9) An Ordinance by Councilmember H. Lamar Willis authorizing the Chief Financial Officer to amend the FY 2013 General Fund Budget by transferring appropriations from and adding anticipations to the FY 2013 General Government Capital Finance Fund in a total amount of eight hundred ninety-five thousand five hundred thirty-five dollars and no cents (\$895,535.00) to fund the Citywide Re-Stacking Program for all City of Atlanta Departments; and for other purposes.

FILE

Mr. Hans Utz: Mayor's Office Deputy Chief Operating Officer stated the Department wants this paper Filed because it is a duplicate. Vice Chairperson Wan offered a motion to **File, 6 Yeas.**

RESOLUTIONS

- 13-R-3298 (10) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to execute Renewal Number One (1) for Master Technology Agreement Number FC-5247-92 with International Business Machines Corporation for Criminal Justice Information System Support, on behalf of the Department of Information Technology for one (1) year beginning July 1, 2013, in an amount not to exceed three hundred ninety-five thousand dollars and no cents (\$395,000.00); all contracted work to be charged to and paid from Funding Numbers listed herein; and for other purposes.

FAVORABLE

Ms. Daphne Rapley: stated that this legislation that this is for the Criminal Justice Information System. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

13-R-3299 (11) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer, on behalf of the City of Atlanta to add additional funding sources to the City of Atlanta's Contract with Sona Networks, LLC, for the purchase of Customer Service Center Training and End-User Adoption Services necessary for the 311 Call Center Project on behalf of the City of Atlanta's Department of Information Technology; with all contracted work to be charged to and paid from Accounts listed below; and for other purposes.

FAVORABLE

Ms. Kristin Wilson: Manager of the Mayor's Office Innovation Delivery Team stated that this is for the 311 Call Center training and rollout. Councilmember Watson offered a motion to **Approve, 6 Yeas.**

13-R-3300 (12) A Resolution by Finance/Executive Committee authorizing the Mayor, or his Designee, to execute Sole Source Agreement Number FC-6752-SS with Public Facilities & Services, Inc., for the continued Maintenance and Repair Support of the Automated Public Toilets installed in six (6) locations throughout the City for Fiscal Year 2014, on behalf of the Department of Public Works, in an amount not to exceed one hundred sixty five thousand seven hundred fifty dollars and no cents (\$165,750.00); with all contracted work to be charged to and paid from FDOA: 1001 (General Fund) 130302 (DPW Traffic Engineering) 5222002 (Repair & Maintenance) 4270000 (Traffic Engineering); and for other purposes.

FAVORABLE

Commissioner Mendoza state that this is a continuing program. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

13-R-3301 (13) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor, on behalf of the City of Atlanta to execute an appropriate Special Procurement Agreement Fc-6766 with Code For America on behalf of the Office of the Chief Operating Officer for the purpose of a Code for America Fellowship to develop solutions to increase citizen engagement, transparency, and efficiencies, in the amount of one hundred and eighty thousand dollars and no cents (\$180,000.00); all expenses to be charged to and paid from 1001 (General Fund) 040301 (Office of the Chief Operating Officer) 5212001 (Consultant/Professional Services) 1320000 (Chief Executive); and for other purposes. **(Finance/Executive Committee Substitute corrects FDOA, 6/26/13)**

FAVORABLE ON SUBSTITUTE

Vice Chairperson Wan stated that we have a Substitute that corrects the FDOA. Councilmember Watson offered a motion to **Approve on Substitute, 6 Yeas.**

13-R-3302 (14) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into Sole Source Agreement No. SS-6638-PL with Innovyze, Inc. for Infoworks Integrated Catchment Modeling Software Upgrades, Training, and Annual Maintenance, on behalf of the Department of Watershed Management, in an amount not to exceed one hundred twenty-one thousand, fifty dollars and zero cents (\$121,050.00); all contracted work shall be charged to and paid from Fund Department Organization and Account Number 5052 (Water & Wastewater Renewal) 170301 (DWM

Watershed Engineering) 5213001 (Consulting/Professional – Technical) 4410000 (Water Administration); and for other purposes.

FAVORABLE

Vice Chairperson Wan offered a motion to **Approve, 6 Yeas.**

13-R-3303 (15) A **Substitute** Resolution by Finance/Executive Committee authorizing the Chief Financial Officer on behalf of the City of Atlanta Department of Watershed Management to deposit settlement and restitution funds from GE Funding Capital Market Services, Inc. (GEFCMS) in the amount of four million, five hundred thirty-nine thousand, twenty-seven dollars and seventy-eight cents (\$4,539,027.78) in settlement of that portion of the City of Atlanta's interest in claims against GEFCMS for certain alleged transactions occurring between 1998 through 2006 as identified in the lawsuit between certain Attorneys General and various Financial Institutions, including GEFCMS, such funds shall be deposited to Fund, Department, Organization, and Account Number 5051.00002.3890007 Water & Wastewater Revenue Fund, Revenue Department, Recoveries; and for other purposes. **(Finance/Executive Committee Substitute deposit the funds, 6/26/13)**

FAVORABLE ON SUBSTITUTE

Vice Chairperson Wan stated that we have a Substitute deposit the funds.

Mr. Mike Isler: of Watershed Management stated that there were issues from the financial institutions and this is the outcome of the class action lawsuit. Councilmember Martin asked who were the claimants? Deputy City Attorney responded that the lawsuits were filed from the General Attorney in the states of California, New York and three other states. Councilmember Martin offered a motion to **Approve on Substitute, 6 Yeas.**

13-R-3304 (16) A Resolution by Finance/Executive Committee regarding the approval of an amendment of and replacement to the City's Interest Rate Management Plan (The "Amended Hedge Management Plan"), consistent with the provisions of O.C.G.A. § 36-82-250, et seq.; authorization of the Mayor (or such other proper officers of the City) to execute and deliver such other documents and agreements necessary or appropriate to effectuate the implementation of the amended Hedge Management Plan; providing an effective date for this Resolution; and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.**

PAPERS HELD IN COMMITTEE

(ID #1794) 10-O-0774 (1) An Ordinance by Councilmembers H. Lamar Willis and Alex Wan to amend Article VII Division II of Chapter II of the Code of Ordinances of the City of Atlanta so as to provide that it shall be unlawful for any City Officer or Employee to knowingly and willfully withhold information, make false or misleading statements or to give untrue testimony before any of its standing Committees; to provide that any Officer or Employee who is found to have violated this Provision shall be dismissed from the employ of the City; and for other purposes. **(Held, 4/28/10)**

HELD

(ID #1797) 10-O-1733 (2) An Ordinance by Councilmembers Michael Julian Bond, Joyce Sheperd, Aaron Watson, Keisha Lance Bottoms, H. L. Willis, Ivory

Lee Young, Jr., C.T. Martin, and Yolanda Adrean authorizing the Mayor or his designee to create a Parking Pass Program for all duly appointed members of City Boards and Commissions; and for other purposes. **(Held, 9/29/10)**

HELD

(ID #1802) 10-O-1739 (3) An Ordinance by Councilmember Natalyn Mosby Archibong to amend the Charter of the City of Atlanta, Georgia, 1996 Ga Laws P. 4469 et seq. adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq. as amended, by amending Part 1 (Charter and Related Laws), Subpart A, (Charter), Article III (Executive), Chapter 3 Entitled (City Departments), Section 3-305 of the City of Atlanta's Code of Ordinances by adding a new Sub-Paragraph (d); and for other purposes. **(2nd Reading, 1st Adoption, 9/29/10); (3rd Reading, Final Adoption, Substituted as Amended and Held, 10/13/10 by Committee for additional information)**

HELD

(ID #1803) 11-R-0771 (4) A Resolution by Councilmembers H. Lamar Willis, Keisha Lance Bottoms and Aaron Watson proposing the creation of the Southwest Atlanta Community Improvement District as authorized by the General Assembly of the State of Georgia in the Atlanta Community Improvement District Act, contingent upon the consent of the majority of the owners of real property within the District boundaries; and for other purposes. **(Held, 5/11/11)**

HELD

(ID #1807) 11-R-0989 (5) A Resolution by Councilmembers Aaron Watson, Carla Smith, Clela Winslow, Ivory Lee Young, Jr., Keisha Lance-Bottoms and H. Lamar Willis requesting that the Departments of Law and Finance launch a study of the operational impact of a modification of the number of Judges in the Municipal Court of Atlanta; such operational impact study to be presented to the City Council by no later than August 31, 2011; and for other purposes. **(Held, 6/29/11)**

HELD

(ID #1810) 11-O-0990 (6) An Ordinance by Councilmember Ivory Lee Young, Jr. amending the Atlanta Code of Ordinances, Section 114-126 (a) by replacing language stating that employees "May" receive an Annual Performance-Based Salary Increase, with language stating that employees "Shall" receive an Annual Performance-Based Salary Increase; and for other purposes. **(Held, 6/29/11)**

HELD

(ID #1814) 11-O-1358 (7) An Ordinance by Councilmember Kwanza Hall imposing a Limited and Temporary Moratorium upon the issuance of Business Licenses to New Pain Management Clinics within the City of Atlanta; and for other purposes. **(Held, 9/14/11)**

HELD

(ID #1820) 11-R-1677 (8) A Resolution by Councilmember Joyce M. Sheperd and Michael J. Bond to create a Task Force to convene on the establishment of a Commission to oversee the Film, Television, Music and Digital Entertainment Industry in the City of Atlanta; to Study the issues

surrounding Film and TV Production and the use of public property within the City of Atlanta and to report it's findings and recommendations to the Mayor and Members of the Atlanta City Council within 120 days; and for other purposes. **(Held, 11/16/11)**

HELD

- (ID #1823) 11-O-1763 (9) An Ordinance by Councilmembers Michael Julian Bond, Ivory Lee Young, Jr. and C.T. Martin to authorize the Chief Financial Officer to create a Trust Fund Account for Tax Revenue collected from Sunday Retail Beer, Wine and Liquor Sales amending the 2012 (General Fund) Budget by adding to anticipations and appropriations sales tax proceeds in the amount of \$250,000.00; to use said tax revenue for Atlanta Police Department DUI Enforcement and for Enforcement of City of Atlanta Liquor Licenses; and for other purposes. **(Held, 11/30/11)**

HELD

- (ID #1825) 11-O-1772 (10) An Ordinance and Charter Amendment by Councilmember Yolanda Adrean **as Substituted (2) by Finance/Executive Committee** to amend the **Charter** of the City of Atlanta, Georgia, 1996 Ga Laws P. 4469, et seq., adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, by amending Part 1 (Charter and Related Laws), Subpart A (Charter), Article II (Legislative), Chapter 6 (City Internal Auditor), to amend Section 2-604(c) so as to define the roles and responsibilities of the Audit Committee in the Selection Process of the City's External Auditor; and for other purposes. **(1st Reading 11/21/11; 2nd Reading / 1st Adoption 2/6/12); (Favorable on 3rd Read, Final Adoption, 2/15/12); (Referred back by Full Council, 2/20/12); (Held, 2/29/12)**

HELD

- (ID #1826) 11-O-1776 (11) An Ordinance by Councilmember Felicia A. Moore to amend the Procurement Code of the City of Atlanta, Georgia, by amending Sec. 2-1161, to add new language; and for other purposes. **(Held on Substitute, 11/30/11)**

HELD

- (ID #1828) 11-R-1841 (12) A Resolution by Councilmembers Felicia A. Moore, Natalyn Archibong, H. Lamar Willis, Aaron Watson, Michael Julian Bond, Ivory Lee Young, Jr., Yolanda Adrean and Kwanza Hall expressing the Atlanta City Council desire to intent to act upon Section 2-396 of the City of Atlanta Code of Ordinances so as to employ directly or to contract the Services of Outside Legal Counsel to assist City Council in providing legislative oversight to the operations of the City; and for other purposes. **(Held, 12/14/11)**

HELD

- (ID #1829) 12-O-0284 (13) An Ordinance by Councilmember Cleta Winslow to transfer \$80,232.00 (eighty thousand two hundred thirty two dollars) from the Fire Impact Fee Fund Account to a specific Project Center Designated Account in the Department of Fire and Rescue for the purpose of providing needed funding for the assessment, reassessment and renovation of Fire Station #7; to waive conflicting Ordinances; and for other purposes. **(Held, 2/29/12)**

HELD

- (ID #1830) 12-O-0402 (14) An Ordinance by Finance/Executive Committee to amend Ordinance 11-O-1290 to empower the Commissioner of Planning and Community Development to authorize overtime and incentive pay to Departmental Personnel for hours assigned to be worked in excess of the regular work week to provide additional plan review services as set forth in Section 104 (1) of Appendix "A" to Volume III of the Code of Ordinances of the City of Atlanta which contains the Building Code Amendments. **(Held, 5/2/12)**

HELD

- (ID #1831) 12-O-0569 (15) An Ordinance by Finance/Executive Committee authorizing the Chief Procurement Officer to invite Competitive Sealed Bids from interested parties for the purchase from the City of Atlanta of approximately 30.7 acres of land in Land Lot 27 of District 14 of Fulton County; and for other purposes.

HELD

- (ID #1832) 12-R-0822 (16) A Resolution by Finance/Executive Committee authorizing the reemployment of Pati McMahon as a Watershed Management Director Senior for the City of Atlanta Department of Watershed Management, Pursuant to Section 3-505(C) of the Charter of the City of Atlanta, Georgia; and for other purposes. **(Held on Substitute, 6/13/12)**

HELD

- (ID #1834) 12-R-1146 (17) A Resolution by Councilmembers Natalyn Mosby Archibong and Felicia A. Moore requesting that Mayor or his Designee utilize the Healthcare Premium Rebate to the City of Atlanta the Affordable Care Act authorized to reduce the premiums City Employees are paying for Healthcare; and for other purposes. **(Held, 8/29/12)**

HELD

- (ID #1836) 12-O-1620 (18) An Ordinance by Councilmember H. Lamar Willis to amend the City of Atlanta Code of Ordinances in order to authorize the implementation and imposition of an Excise Tax on energy sold or used to manufacturing in the City and to provide for rates, phase-in period, time for imposition, recovery of the Excise Tax, administrative procedures, audits, allowed expenditures of the proceeds, termination, and an effective date to commence collection; and for other purposes. **(Favorable, 11/14/12); (To be advertised for a Public Hearing); (Referred back by Full Council for Public Hearing, 11/19/12); (Held for Public Hearing, 11/28/12)**

HELD

- (ID #1839) 13-O-0030 (19) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to write-off Department of Watershed Management Water and Wastewater Uncollectible Accounts Receivable in the amount of one million, two hundred fifty thousand, sixty-nine dollars and thirty-one cents (\$1,250,069.31); and for other purposes. **(Held, 1/30/13)**

HELD

- (ID #1840) 13-O-0311 (20) An Ordinance by Councilmember Natalyn M. Archibong to provide for the annexation of property located at the

Glenaire Subdivision, Phase II to the Corporate Limits of the City of Atlanta, Georgia pursuant to the 100% method; to authorize the Law Department to seek preclearance from the United States Department of Justice and to notify the Georgia Department of Community Affairs of such annexation; and for other purposes. **(Held, 2/27/13); (To be advertised for a Public Hearing)**

HELD

(ID #1841) 13-O-0441 (21) An Ordinance by Finance/Executive Committee to provide for the annexation of the City owned Cascade Road Landfill to the corporate limits of the City of Atlanta, Georgia pursuant to the 100% method; to authorize the Law Department to seek preclearance from the United States Department of Justice and to notify the Georgia Department of Community Affairs of such annexation; and for other purposes. **(Held, 3/27/13)**

HELD

(ID #1842) 13-O-0453 (22) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, to authorize the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and to accept the donation of approximately 0.94 acres of property located at 2865 Springdale road from two eight six five Springdale Road LLC or current land owner ("The Property"), for the purpose of creating a new park in Council District 12 ("Park"), in an amount not to exceed sixty thousand dollars (\$60,000.00). The City's purchase price, closing costs, due diligence, and development costs shall be paid from Park Impact Fee South as shown below and amending the 2013 General Government Capital Outlay Fund Budget for the Department of Parks, Recreation and Cultural Affairs and the Department of Finance by transferring between accounts the sum of sixty thousand (\$60,000.00); and for other purposes. **(Held, 3/27/13)**

HELD

(ID #1700) 13-O-641 An Ordinance by Councilmembers Michael J. Bond, Keisha Lance Bottoms, C.T. Martin, Carla Smith, Aaron Watson, H. Lamar Willis, and Cleta Winslow **as Substituted by Finance/Executive Committee** to amend the City of Atlanta Code of Ordinances by adding a Subsection (10) to Code Section 2-190 (B) to create a City of Atlanta Office of Entertainment in the Department of the Mayor; and adding a new Section 2-200 that sets forth the functions and duties of the City of Atlanta Office of Entertainment; and modifying Chapter 46, entitled Civic and Cultural Affairs, by adding a new article IV Entitled "Entertainment Filming Ordinance"; and establishing new fees for permits issued and services offered by the Office of Entertainment, and directing that said fees be deposited into the account set forth; and for other purposes. **(Held, 5/1/13 for a Public Hearing and a Work Session); (Substituted and Held, 5/29/13); (Public Hearing Held 6/12/13 at 1:00 p.m. in Committee Room #2); (Held 6/12/13 for a Work Session on 6/19/13).**

Vice Chairperson Wan stated that we have a Substitute.

Ms. Robin Shahar: Senior Assistant City Attorney stated that she took the comments from the Work Session to make changes, which are in red lines. We added the need to clarify the role of this Office, which states that this Office is not only for the Industry, but for the public as well is on page #5, **Section 46-102, Section 46-103** clarify the fees used under Public Works requirements of the Code. Page #7 is the classification for nighttime lighting and zoning. Page

#9 is additional requirement for student fees. Page #10 is concerns for yielding violations for applications. Page #13 is the desire that the area will be restored after filming. There was concerns about the Noise Abatement Ordinance be added, #9 states that this Office will be notified regarding filming and the impact on the neighborhood. Page #14 makes sure that the environmental laws are added.

Mr. Michael Sterling: Office of the Mayor stated that we agree with public input. We understand that this is a growing industry in Atlanta. Councilmember Adrean thanked staff for the input. The Film Industry has been operating for years without this Office. She is supportive of the legislation, but we do have a NPU process. The NPUs in her District has not addressed the issues of this Office. There are some elements that have not been mentioned. The staging has not been addressed with noise, etc. Mr. Sterling responded that it is addressed upon receiving the application. Councilmember Adrean stated that there are fees that are to be paid daily. Vice Chairperson Wan asked about the three block radius. Sometimes the noise is heard more than three blocks away. Assistant Senior City Attorney Shahar responded that there are other Ordinances in place. That is where the Public Works Ordinance comes in place with closings, etc. Councilmember Archibong asked if there is an extension photos and films. Assistant Senior City Attorney Shahar responded that filming is not a specific spot. People who takes photos is not required to get permits. Councilmember Archibong asked how can we capture film opportunities. Mr. Sterling responded that is something we can do through other resources to measure jobs. Councilmember Archibong stated that there is language on page #11 on whether the Director can deny applications. In the past there was an application denied, she wants to know if it is because misrepresentation. Mr. Sterling responded that it can be because the material missed on an application. Councilmember Bond stated that there is filming going on now on Argonne Street. Since he has been on Council there has not been any supervision regarding filming. He commends the Administration with creating this Office because Atlanta definitely needs it. Mr. Sterling responded that in the past, the information went to every NPU Committee.

Mr. Peter Andrews: Deputy City Attorney stated that **Section 2-45-A-Paragraph 4** states that information is to be placed on NPU Agenda for information purposes only. The process meets the requirement. Councilmember Bond stated that we wan to make sure the public feels comfortable about what we are doing.

Ms. Julia Emmonds: President of Ansley Park Association stated that we are proud to have the film industry in our neighborhood. The NPU has not had time to weigh in. We want the education. If the NPU is not included, there will be adverse actions.

Mr. Albert B. Cooper: stated that he is a filmmaker. We are experienced with high development directors, but bureaucracy scares us. He is responsible for parking the trucks, etc.

Mr. Jim Synder: stated that APAB has not heard anything by a Film Office. We should not just send an Ordinance that states "for comment only". Council needs to make sure that the NPUs receive information and comment back. The burden is going to be on the neighborhoods. The fees is not supposed to be revenue generators, but reflected of the actual costs.

Mr. Mark Cottrell: Location Manager stated that he agrees that a Film Office is needed. We should continue to move forward and educate.

Mr. Mack Gordon: stated that it is about time that the City has a centralized system. He encourages the City to take its time and do it right.

Mr. Mitch Hardinson: stated that he is also a Location Manager. He has done films such as the Anna Nicole Smith, Zombie Land and Drop Dead Diva. Every time he gets a permit, his assistant has to go upstairs to get and come back downstairs to pay for it and go back upstairs for paperwork. We spend \$500 to \$700 per minute when shooting. We make sure always that we have a Police Officer on location. He is excited about the new Office.

Mr. Nick Nicholson: stated that he lives at 845 Spring Street. His neighborhood participates in a lot of the films. We have concerns with noise going on all night.

Mr. Kyle Crenshaw: stated that if the film industry is causing inconveniences, we need this Office. He is in support of this legislation. Councilmember Adrean stated she is in support of this legislation, but she wants it Held for NPU's A, B, C and E because they will have their meeting on July 2, 2013. They did not receive their notice until June. Councilmember Archibong offered a substitute motion to move it **Forward With No Recommendation on Substitute, 3 Yeas, 2 Nays, 1 Abstention.**

13-O-1054 (23) An Ordinance by Councilmember Natalyn Archibong to authorize the contribution of funds from the District 5 Council Member's Carry-Forward in the Non-Departmental Reserves to contribute to the Department of Parks, Recreation and Cultural Affairs for Senior Summer Camp at Butler Park, in the amount of \$500.00 and to the Department of Public Works to fund various projects in District 5, in the amount of \$106,676.00; and for other purposes. **(Held, 5/29/13)**

HELD

13-O-1055 (24) An Ordinance Councilmembers Michael J. Bond, Cletaa Winslow, Kwanza Hall, Keisha Lance Bottoms, Joyce M. Sheperd, H. Lamar Willis, C. T. Martin, Natalyn M. Archibong, Yolanda Adrean, Carla Smith, Howard Shook and Felicia Moore to authorize the Mayor or his designee, on behalf of the City, to negotiate for and to purchase approximately .1836 acre located at 38-42 Joseph E. Lowery Boulevard, SW for the purpose of creating Ella Mae Brayboy Park; and for other purposes. **(Held, 5/29/13)**

HELD

13-R-3210 (25) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with Compucraft, Inc. via Cooperative Purchasing Agreement No. FC-6662, utilizing General Services Administration Contract No. GS-04P-12-BV-D-0004, on behalf of the Department of Watershed Management, for a Fire Suppression System for the Datacenter located at 72 Marietta Street, in an amount not to exceed two hundred forty-six thousand, two hundred dollars and zero cents (\$246,200.00); all contracted work shall be charged to and paid from Fund Department Organization and Account Number 5051 (Water & Wastewater Revenue Fund) 040423 (Exe 72 Marietta Buildings) 5213001 (Consulting/ Professional Services-Technical) 1565001 (Gen Gov-Bldgs & Plant – 72 Marietta Street); and for other purposes. **(Held, 5/29/13)**

HELD

13-O-1079 (26) An Ordinance by Councilmember Carla Smith to authorize the Chief Financial Officer to identify funds in an amount sufficient to implement Moreland Avenue LCI Study, but no less than \$3,000,000 dollars and for other purposes. **(Held and Amended, 6/12/13)**

HELD

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 3:00 p.m.

Respectfully submitted,

Jim Beard, CFO
Secretary

Charlene Parker
Recording Secretary

“The Department of Finance... because customer service is important to us.”